

10/053,072  
Attorney Docket No.: 42P11135

**Remarks:**

Reconsideration of the above referenced application in view of the enclosed amendment and remarks is requested. Claims 1-3, 6, 11-13, 16-17, and 21-30 have been amended. Existing Claims 1 to 30 remain in the application. The Specification has been amended at the Examiner's request to correct a typographical error. No new matter is added.

**ARGUMENT**

Claims 8, 18 and 28 are rejected under 35 U.S.C. § 112, first paragraph. This rejection is respectfully traversed and Claims 8, 18 and 28 are believed allowable based on the above amendments and following discussion.

As described on Page 4 of the Specification, "Client 20 uses the control path definition to change particle attributes for particles included in the particle animation in a series of up-dates. The changed particle attributes are then rendered and displayed as a series of frames on a display device." The Specification clearly describes that the updates use the control path definition to change particle attributes. The frame updates are driven by the update cycle and control path definition. The Examiner misunderstands frame updates as fixed. While it may be common to render a frame update 50-60 times per second in existing systems, for visual reasons, the frame "cycle" does not necessarily drive the particle attribute update. Instead, the particle attribute updates cause frames to be rendered. The system and method described are intended to be performed locally on the Client. Existing systems generate frames that are sent to client systems. Applicant's invention enables particle attribute updates to be generated on the Client and then generate frames for rendering, also on the Client. Thus, the recited claim is described by the specification in such a way to enable one of ordinary skill in the art to make, use and practice the invention.

Claims 1, 6, 11, 16-17 and 21 are rejected under 35 U.S.C. § 112, second paragraph. This rejection is respectfully traversed, and Claims 1, 6, 11, 16-17 and 21 are believed allowable based on the above amendments and the foregoing and following discussion.

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Claims 1-4, 7-8, 11-14, 17-18, 21-24 and 27-28 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,014,151 to Cohen et al. (hereafter "Cohen et al."). This rejection is respectfully traversed, and Claims 1-4, 7-8, 11-14, 17-18, 21-24, 27-28 and their progeny are believed allowable based on the above amendments and the foregoing and following discussion.

Cohen et al. teach a system and method for allowing a particle to follow a path. A one-dimensional path having an attraction force which affects particles is embodied in n-dimensional space, such as two dimensional or three dimensional space. Cohen et al. teach a process where a one-dimensional path embedded in n-dimensional space is established. A particle emitter is created and particle attributes are assigned to a path. An attraction force is determined for the path. The force, or a percentage thereof, is applied in the direction of the path. The system of Cohen et al. teach that all of the steps of the process are performed by computing device 100 (Fig. 1). At no time do Cohen et al. teach that the results of the process are to be displayed or rendered. Further, rendering cannot be inferred from the teachings of Cohen et al., as it is not critical to the calculations.

In contrast, Applicant's claimed invention requires a client-server system. The particle control path is sent to the client from the server. The client generates updates and attribute changes in the particles based on the particle control path and renders the particles to a display. Applicant's claimed invention enables a client to update and render particles. This way of modeling and displaying a particle animation on a client does not require the server to generate and update individual particle attributes for the client. Instead, the generation, updating and rendering of particles is performed on the client. (Page 4).

Cohen et al. teach a system where the burden of generating a path, particle emitter, etc. are all performed on one computing system. Cohen et al. do not teach or suggest the client-server system and method as recited in Applicant's claims. Thus, Claims 1-30 are believed allowable.

Claims 5, 15 and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Cohen et al. in view of Foley. This rejection is respectfully traversed and Claims 5, 15 and 25 are believed allowable based on the above amendments and foregoing discussion.

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Claims 6 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Cohen et al. in view of U.S. Patent No. 5,500,925 to Tolson (hereafter "Tolson"). This rejection is respectfully traversed and Claims 6 and 16 are believed allowable based on the above amendments and foregoing and following discussion.

Tolson does not teach or suggest a system having a particle control path. While Tolson's teachings are in the domain of computer graphics, there is no motivation to combine the teachings of Tolson with the teaching of Cohen et al., with respect to *determining a distance between the particle and a closest point on the particle control path*. Since Tolson does not teach a particle control path, any discussion of distance from a line is not relevant to Applicant's claimed invention. Combining the teaching of Tolson with the teaching of Cohen et al. will not result in a system that *determines a distance between the particle and a closest point on the particle control path*. Thus, Claims 6 and 16 are believed allowable.

Claims 9-10 and 19-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Cohen et al. in view of Tolson. This rejection is respectfully traversed and Claims 9-10 and 19-20 are believed allowable based on the above amendments and foregoing discussion.

Claims 26 and 29-30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Cohen et al. and Foley in view of Tolson. This rejection is respectfully traversed and Claims 26 and 29-30 are believed allowable based on the above amendments and foregoing discussion.

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### CONCLUSION

In view of the foregoing, Claims 1-30 are all in condition for allowance. If the Examiner has any questions, the Examiner is invited to contact the undersigned at (703) 633-6845. Early issuance of Notice of Allowance is respectfully requested. Please charge any shortage of fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 02-2666 and please credit any excess fees to such account.

Respectfully submitted,

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